

Message Text

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PAGE 01 BUENOS 08460 200001Z

61

ACTION EB-11

INFO OCT-01 ARA-16 ISO-00 L-03 CAB-09 CIAE-00 COME-00

DODE-00 INR-10 NSAE-00 RSC-01 FAA-00 SS-20 NSC-10

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----- 033816

R 192115Z NOV 73

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 4364

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E.O. 11652: N/A

TAGS: ETRN, AR

SUBJECT: CIVAIR - US/ARGENTINE ARRANGEMENT

REF BUENOS AIRES 8416

1. EMBASSY HAS FORWARDED, UNDER TRANSMITTAL SLIPS VIA AIR
POUCH DISPATCHED NOV 19 FOR ATTENTION ARA/APU AND EV/OS/APU,
COPIES OF ALL PERTINENT COMMUNICATIONS WITH GOA CONCERNING
SUBJECT. FOR IMMEDIATE USE IN DEPARTMENT INFORMAL TRANSLATION
OF FOREIGN MINISTRY NOTE NO. 3173 OF 15 NOV 73 REPRODUCED
BELOW:

A) "...WITH REFERENCE TO MY NOTE NO. 1368 OF NOV 2 AND YOUR
RESPONSE DATED 12 NOV IN WHICH YOU REQUESTED US TO CONFIRM THAT
LATTER REPRESENTS AN ACCEPTABLE BASIS ON WHICH TO INITIATE PROPOSED
CONSULTATIONS. . . WE SHARE IDEA THAT ARRANGEMENTS TO BE MADE
BETWEEN AERONAUTICAL AUTHORITIES OF BOTH GOVERNMENTS, IN ORDER
THAT THEY MAY BE POSITIVE AND USEFUL, SHOULD BE ORIENTED TOWARD
A FULL AND TOTAL REVISION OF CIVIL AVIATION RELATIONS BETWEEN USA
AND ARGENTINE REPUBLIC.

B) "IN THIS SENSE AND BECAUSE CHARGE, IN HIS LAST NOTE, STATED
THAT HIS GOVERNMENT IS DISPOSED TO CONDUCT CONSULTATIONS 'WITHOUT
ANY PRECONDITIONS OR BEGIN UNDERLINE A PRIORI ENDUNDERLINE AGENDA,
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PAGE 02 BUENOS 08460 200001Z

BY EITHER SIDE,' IT SHOULD BE CLARIFIED THAT BASIC CRITERIA OF

UNDERSTANDING ATTACHED TO OUR PREVIOUS NOTE WERE NOT FORMULATED WITH INTENTION OF ESTABLISH PRIOR CONDITIONS BUT RATHER, AS PROPOSALS, ARE OPEN TO OBSERVATIONS AND CLARIFICATIONS WHICH YOU MAY DEEM NECESSARY. THE REFLECT, IN MOST AMPLE WAY, AN ATTEMPT TO CONTRIBUTE IN NEUTRALIZING DOCTRINARY DIFFERENCES WHICH HAVE BEEN IN EVIDENCE IN PREVIOUS NEGOTIATIONS AND EXPRESS IDEAS OF COMPROMISE WHICH, WHROUGH AN ADEQUATE FLEXIBILITY IN PROCEDURES, CAN PRESERVE EQUALITY OF RIGHTS, ASSURING RECIPROCITY IN THEIR USE AND FAIR PARTICIPATION IN OPERATIONS REQUIRED TO SERVE DEVELOPING NEEDS OF AIR TRANSPORT BETWEEN TWO COUNTRIES.

C) "SITUATION GENERATED BY DOCUMENT SIGNED 12/22/72 INCLUDED WITHIN THE BOARD REVISION BECAUSE CONDITIONS IN AIR TRAFFIC BETWEEN THE TWO COUNTRIES HAVE NOT DEVELOPED AS WAS FORESEEN AND PRESENT GOA HAS FOUND IT NECESSARY MAINTAIN PRESENT STATUS IN ITS APPLICATION UNTIL SOLUTIONS SATISFACTORY FOR BOTH SIDES ARE AGREED UPON.

D) "WITH THE CLARIFICATIONS WHICH I AM SENDING YOU, I AM SURE THAT YOUR GOVERNMENT CAN INTERPRET THE TRUE SENSE AND SCOPE OF THE PROPOSED SOLUTIONS TO THE PROBLEM PRESENTED AND I REQUEST CHARGE SECURE FROM HIS GOVERNMENT A RESPONSE TO TERMS AND PRINCIPLES EXPRESSED IN THIS NOTE SO THAT IT MAY BE POSSIBLE TO SEND A DELEGATION FOR ANTICIPATED DISCUSSIONS ON A CONVENIENT DATE TO BE MUTUALLY DETEMINED. SIGNED: TETTAMANTI"

2. ON THE POSITIVE SIDE, WE NOTE TETTAMANTI'S STATEMENTS IN PARA ONE A) CONCERNING DESIRE THAT NEW ARRANGEMENTS BE POSITIVE AND USEFUL, AND IN PARA ONE B) HIS STRAIGHTFORWARD DENIAL THAT BASIC CRITERIA ATTACHED TO PREVIOUS LETTER WERE PRIOR CONDITIONS FOR TALKS, BUT RATHER, WERE INTENDED TO BE HELPFUL AND COMPROMISING PROPOSALS. ON THE OTHER HAND, LANGUAGE IN PARA TWO B) CONCERNING "EQUALITY OF RIGHTS," "RECIPROCITY IN THEIR USE," AND "FAIR PARTICIPATION IN OPERATIONS," ARE ALL TOO REMINISCENT OF HARD POSITIONS PUT FORWARD BY GOA IN PAST. MOREOVER, IN PARA ONE C) STATEMENT THAT CONDITIONS IN AIR TRAFFIC SINCE DECEMBER 1972 HAVE NOT DEVELOPED AS WAS FORSEEN IS UNILATERAL JUDGMENT ON OUTCOME OF BILATERAL AGREEMENT PUT FORWARD WITHOUT CONSULTATION AND HIGHLIGHTS GOA RESTRICTIVE APPROACH. THAT GOA HAS NOT AND DOES NOT INTEND TO IMPLEMENT LIMITED OFFICIAL USE

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PAGE 03 BUENOS 08460 200001Z

DECEMBER 1972 AGREEMENT IS AT LEAST AN UNNECESSARY REITERATION OF PRESENT GOA POSITION. IF ONE READS TETTAMANTI'S LATEST COMMUNICATION WITH SOME CYNICISM HE WILL PROMPTLY NOTE THAT IN PARA ONE D) THE "BASIC CRITERIA" OF THE NOVEMBER 2 LETTER ARE HERE REFERRED TO AS "PROPOSED SOLUTIONS TO THE PROBLEM PRESENTED." UNLESS THE TETTAMANTI NOTE WAS VERY HASTILY DRAFTED THIS WOULD CONSTITUTE A REAL TONGUE-IN-CHEEK STATEMENT AND GIVES US DIFFICULTY IN INTERPRETING WHAT IS MEANT BY THE

"TERMS AND PRINCIPLES EXPRESSED IN THIS NOTE." FINALLY, ANC CONTRARY TO WHAT TETTAMANTI HAD BEEN EXPRESSING ORALLY, THERE IS THE CLEAR REQUEST THAT THE US RECOGNIZE THE ARGENTINE POSITION AS A NECESSARY STEP TO THE ARGENTINE SELECTION OF A DELEGATION FOR FORMAL DISCUSSIONS.

3. EMBASSY WILL AWAIT INSTRUCTIONS FROM DEPARTMENT BEFORE RESPONDING TO TETTAMANTI NOTE. EMBASSY BELIEVES THAT REPLY SHOULD BE WRITTEN AND MUST NOT ONLY ADDRESS PROBLEM OF PROCEDURES AND UNDERSTANDINGS COVERING INTERN PERIOD UNTIL FORMAL NEGOTIATIONS, BUT MUST INDICATE THAT SOLUTIONS TO PROBLEM ARE TO COME FROM NEGOTIATION; THAT STATEMENTS OF POSITION AND PROPOSALS PRESENTED TO DATE BY GOA ARE UNDERSTOOD BY US AS PRELIMINARY EXPRESSIONS OF ARGENTINE VIEWS WHICH CAN BEST BE ADDRESSED WHEN GOA READY TO PROCEED WITH FORMAL DISCUSSIONS/NEGOTIATIONS.

4. WHILE WE KNOW BRANIFF WILL REMAIN CONCERNED OVER SATISFACTORY ARRANGEMENTS WITH GOA CONCERNING REGIONAL QUOTAS AFTER 31 DEC 73, BRANIFF REP NOT NOW IN BUENOS AIRES AND WE ARE UNABLE TO CONSULT HIM CONCERNING ANY OTHER UNEASINESS HIS LINE MAY HAVE WHEN FACING NEW HIATUS OF POSSIBLY THREE MONTHS UNTIL NEGOTIATIONS ARE POSSIBLE. PAN AM REP INDICATES HE AND HIS LINE WILL CONTINUE TO BE GREATLY DISAPPOINTED WITH ALL DELAYS IN MOVING BEYOND PRESENT 8 WEEKLY PASSENGER FREQUENCIES, THOUGH LESS CONCERNED OVER DELAY IN NEW CARGO FREQUENCY. HE INDICATED THAT IF PRESENT AUTHORIZATIONS FROM GOA WERE NOT TAMPERED WITH OR RESTRICTED, PAN AM COULD CERTAINLY "GET ALONG." REQUEST DEPARTMENT ADVISE EMBASSY CONCERNING OPERATING PROBLEMS DURING NEXT SEVERAL WEEKS OR MONTHS WHICH US AIRLINE HEAD OFFICES FEEL MAY BECOME PROBLEMS. KREBS

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